IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CIVIL CASE NO. 1:20-cv-00196-MR

JAMES B. CHARLES,)
Petitioner,))) ORDER
vs.))
EDDIE M. BUFFALOE, Secretary, North Carolina Department of Public Safety,)))
Respondent.))

THIS MATTER is before the Court on the *pro se* Motion in Response to Respondent's Reply to Petitioner's Response to Motion for Summary Judgment, filed by the Petitioner, James B. Charles ("the Petitioner") on October 5, 2022. [Doc. 32].

The Petitioner's *pro se* motion appears to be an additional response, filed in support of the Petitioner's Response in opposition to the Respondent's Motion for Summary Judgment [Doc. 28] and addressing the Respondent's Reply to the Response [Doc. 29].

Counsel appeared on the Petitioner's behalf on May 25, 2022, *pro bono*, for the purpose of responding to the Respondent's Motion for

Summary Judgment. [Doc. 25]. The Response was filed by counsel on the Petitioner's behalf on August 26, 2022. [Doc. 28].

The Court entered an Order on September 27, 2022, granting the Respondent's Motion for Summary Judgment and disposing of the Petitioner's Petition for Writ of Habeas Corpus. [Doc. 30]. Because the Court has already ruled upon the Respondent's Motion for Summary Judgment, the Petitioner's subsequent *pro se* response filed in support of his opposition to the Respondent's Motion for Summary Judgment is moot.

IT IS, THEREFORE, ORDERED that the Petitioner's *pro se* Motion in Response to Respondent's Reply to Petitioner's Response to Motion for Summary Judgment [Doc. 32] is **DENIED** as moot.

IT IS SO ORDERED.

Signed: October 27, 2022

Martin Reidinger

Chief United States District Judge